

**Conditions of Approval for The Windy Hill Project
(APPL. NO. PA2018-0087)**

These Conditions of Approval apply to the City approval of the following entitlements requested by Windy Hill PV Fourteen MF LLC, the Applicant and Land Owner for the Windy Hill Project: Vesting Tentative Map, Development Agreement, Design Review, Conditional Use Permit, Grading Plan, Tree Permit, Outdoor Noise Exception, and Annexation. The Project also includes requests for: 1) An additional floor area allowance in exchange for Specified Public Benefits under Belmont Zoning Ordinance (BZO) Section 31.4.1(F); 2) An Exemption to Maximum Floor Plate as a Percent of First Floorplate Standards under BZO Section 31.4.1(H)(1); and 3) an Alternative to Window Transparency requirements Under BZO Section 31.4.1(K)), for properties at 1325 Old County Road, 1301 Old County Road, 1304 Elmer Street, And 633 O'Neill Avenue; APNs: 046-031-020, 045-013-030, 046-031-050, 046-031-070, & 046-031-080; (Appl. No. PA2018-0087: City Approvals).

IV. COMPLY WITH THE FOLLOWING CONDITIONS OF THE PUBLIC WORKS DEPARTMENT:

- A. **The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions.**

Public Improvements

1. Street widening, improvements, and dedications shall be in accordance with City Standards and specifications as required by the Department of Public Works or as modified by the Public Works Director.
2. Streets, sidewalks and curbs in need of repair within and bordering the project shall be repaired and/or removed and replaced in accordance with the Department of Public Works approved standards. Photographs or video of before condition are recommended.
3. New sidewalk, curb and gutter shall be installed in accordance with the Department of Public Works approved standards or as modified by the Public Works Director. .
4. The unused driveway shall be removed and replaced with curb and gutter in accordance with Department of Public Works approved standard.
5. The unused driveway shall be removed and replaced with sidewalk, curb and gutter in accordance with Department of Public Works approved standards.
6. A commercial driveway approach shall be installed in accordance with Department of Public Works approved standards.
7. Street trees shall be required spaced at minimum intervals along project frontage and species as determined by the Director of Parks and Recreation. Newly planted street trees shall be irrigated and maintained by applicant.

Grading and Drainage

8. The owner/applicant shall submit C3 & C6 stormwater pollution prevention checklist, impervious calculation checklist and BMP measures checklist prior or concurrent with building permit submittals.

Subdivisions

9. Submit subdivision plans in conformance with the Subdivision Map Act and City Subdivision Ordinance No. 530. Final plans shall be drafted in AutoCAD and submitted on CD-ROM.
10. The owner/applicant shall pay planned drainage fees in accordance with City ordinances. The project is in the City limit and applicable to City's requirements.

NPDES Stormwater Controls (General)

11. New buildings such as food service facilities and/or multi-family residential complexes or subdivisions shall provide a roofed and enclosed area for dumpsters and recycling containers. The area shall be designed to prevent water run-on to the area and runoff from the area and to contain litter and trash, so that it is not dispersed by the wind or runoff during waste removal.
12. Commercial/industrial facilities having vehicle/equipment cleaning needs and new residential complexes of 25 units or greater shall either provide a roofed, bermed area for washing activities or discourage vehicle/equipment washing by removing hose bibs (faucets) and installing signs prohibiting such uses. Vehicle/equipment washing areas shall be paved, designed to prevent run- onto or runoff from the area, and plumbed to drain to the sanitary sewer. A sign shall be posted indicating the location and allowed uses in the designated wash area. The applicant shall contact the local permitting authority and/or sanitary district with jurisdiction for specific connection and discharge requirements.

MRP Regulated Project:

13. Project shall comply with all requirements of the Municipal Regional Stormwater NPDES Permit Provision C.3. Please refer to the San Mateo Countywide Water Pollution Prevention Program's (SMCWPPP) C.3 Stormwater Technical Guidance Manual for assistance in implementing LID measures at the site. [Optional: http://www.flowstobay.org/bs_new_development.php]

Source Control Conditions [Staff must require all applicable source controls for C.3 Regulated Projects]:

14. Trash storage areas (including recycling or food compactor areas or similar areas), wash areas, loading docks, repair/maintenance bays, and equipment or material storage areas shall be completely covered and bermed to ensure that no stormwater enters the covered area. Covered areas shall be sloped so that spills and washwater flow to area drains connected to the sanitary sewer system, subject to the local sanitary sewer agency's authority and standards.
15. Discharges from indoor/outdoor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants shall be plumbed to the sanitary sewer system, subject to the local sanitary sewer agency's authority and standards.
16. Interior level parking garage floor drains, and any other interior floor drains, shall be connected to the sanitary sewer system, subject to the local sanitary sewer agency's authority and standards.
17. Efficient irrigation systems shall be used throughout all landscaped areas in accordance with the Model Water Efficient Landscape Ordinance.
18. On-site storm drain inlets shall be clearly marked with the words "No Dumping! Flows to Bay," or equivalent using thermoplastic material or a plaque.
19. Swimming pools, hot tubs, spas and fountains shall have a connection to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards. This connection could be a drain in the pool to the sanitary sewer or a cleanout located close enough to the pool so that a hose can readily direct the pool discharge into the sanitary sewer cleanout.

20. Restaurants and grocery stores shall have a sink or other cleaning area large enough to clean the largest mat or piece of equipment. The cleaning area shall be indoors or in a roofed area outdoors, connected to a grease separator prior to discharging to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards.
21. Boiler drain lines, roof top equipment with drain lines, and/or equipment for washing and/or steam cleaning activities shall be connected to the sanitary sewer system, subject to the local sanitary sewer agency's authority and standards.
22. Land uses involving vehicle and equipment repair and maintenance shall provide a designated, indoor area for these activities.
23. Projects with architectural copper should, if possible, purchase copper materials that have been pre-patinated at the factory. Whether patination is done offsite or onsite, applicant should consider coating the copper materials with an impervious coating that prevents further corrosion and runoff. If patination is done on-site, implement one or more of the following:
 - a. Discharge the rinse water to landscaping. Ensure that the rinse water does not flow to the street or storm drain. Block off storm drain inlet if needed.
 - b. Collect rinse water in a tank and pump to the sanitary sewer. Contact your local sanitary sewer agency before discharging to the sanitary sewer.
 - c. Collect the rinse water in a tank and haul off-site for proper disposal.

Site Design Conditions [At least one site design measure must be implemented for C.3 Regulated Projects]:

24. Direct roof runoff onto vegetated areas. Stormwater treatment of the roof runoff is not required if the vegetated area is designed as a self-retaining area, as described in Section 4.3 of the C.3 Technical Guidance.
25. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas. Stormwater treatment of the roof runoff is not required if the vegetated area is designed as a self-retaining area, as described in Section 4.3 of the C.3 Technical Guidance.
26. Construct sidewalks, walkways, patios, bike lanes, driveways, and/or uncovered parking lots with permeable surfaces. These include porous pavement (asphalt and concrete), turf block, and permeable joint pavers. Use of permeable surfaces may reduce the size of the required treatment measure by lowering the amount of runoff generated, however, run-off from permeable surfaces will not be exempt from having to receive treatment unless properly designed as "self-treating areas" or "self-retaining areas". Refer to sections 4.2 or 4.3 of the C.3 Tech Guidance, respectively.
27. Minimize land disturbance and impervious surface (especially parking lots). R-27
28. Use micro-detention, including distributed landscape-based detention.

Treatment Control Conditions

[Refer to the project's completed C.3 and C.6 Development Review Checklist or Stormwater Requirements Checklist to identify the applicable type of treatment control. Conditions of Approval are presented for the following types of treatment controls: Infiltration Measures or Devices, Rainwater Harvesting, Biotreatment Measures, and Special Projects Proposing Non-LID Treatment Measures.]

Infiltration Measures (Bioinfiltration and Infiltration Basins) or Infiltration Devices (Dry Wells and Infiltration Trenches) *[Apply the following Conditions of Approval if applicant demonstrated during the Planning Phase that it is feasible to infiltrate 80% of the average annual runoff volume]:*

29. In-situ infiltration rate shall be determined or confirmed by means of percolation testing for all infiltration treatment measures and devices
30. Infiltration devices shall not be used where confirmed seasonal high groundwater is less than 10 feet from the bottom of infiltration measure or device.
31. Infiltration treatment measures or devices shall be designed in accordance with the infiltration guidance in Appendix E of the C.3 Technical Guide.

All conditions are for info.

Biotreatment Measures:

[Apply the following Conditions of Approval ONLY when the applicant has demonstrated that it is infeasible to infiltrate or harvest and use 80% of the average annual runoff volume.]

32. Biotreatment measures (including bioretention areas, flow-through planters and non-proprietary tree well filters) shall be sized to treat run-off from 100% of the applicable drainage area (all impervious areas and applicable landscaped areas) using flow or volume based sizing criteria as described in the Provision C.3.d of the MRP, or using the simplified sizing method (4% rule of thumb), described in the C.3 Technical Guidance and based on the flow-based sizing criteria in Provision C.3.d.i.(2)(c). *Alternative biotreatment measure that are not in the C.3 Technical Guidance concept shall be pre-approved by the Planning Department.]* **Condition for info.**

Special Projects Proposing High Flow-Rate Tree Well Filters and/or High Flow-Rate Media Filters *[High flow-rate tree well filters and high flow-rate media filters may be used ONLY for Special Projects that meet the criteria specified in Provision C.3.e.ii and ONLY for the percentage of stormwater runoff for which the project is allowed to use non-LID treatment as shown on the project's completed Special Projects Worksheet]:*

33. Design of non-LID treatment measures shall be consistent with applicable technical guidance in Chapter 6 of the C.3 Technical Guidance.
34. Project documentation for Special Projects proposing to use high flow-rate tree well filters and/or media filters shall include the following information for municipal staff to prepare a narrative discussion of the feasibility or infeasibility of 100% LID treatment:
35. Completed C.3 and/or C.6 Development Review Checklist or Stormwater Requirements Checklist, including the section regarding feasibility of infiltration and rainwater harvesting and use.
36. A description of the site drainage, including the site slope, direction of flow, and how the site was divided into drainage management areas that will each drain to a separate stormwater treatment measure.
37. A description of any drainage management areas for which self-treating or self-retaining areas (such as pervious pavement, green roofs or landscaped areas) or LID treatment measures are provided.
38. An explanation of how the routing of drainage has been optimized to route as much drainage as possible to LID features and facilities (if any).

39. A description of constraints to providing on-site LID, including a description of portions of the site that are proposed to drain to tree-box type high flow rate biofilters and/or vault-based high flow rate media filters include some areas that are not covered by buildings. This description shall explain why pervious paving is not used for impervious paved areas that are proposed to drain to a non-LID treatment measure, and it shall explain why LID measures cannot be constructed in any proposed landscaped areas within an area that is proposed to drain to a non- LID treatment measure.
40. A description of constraints to providing off-site LID, including a statement regarding whether the project applicant owns or otherwise controls land within the same watershed of the project that can accommodate in perpetuity off-site bioretention facilities adequately sized to treat the runoff volume of the primary project.

Hydromodification Management (HM) Conditions:

[Apply the following Conditions of Approval only to projects that create or replace 1 acre or more of impervious area, increase the impervious surface area over pre-project conditions, and are located within the HM Control Area.]

41. Post-construction stormwater discharge rates and durations shall not exceed pre-project rates and durations from 10% of the pre-project 2-year peak flow up to the pre-project 10-year peak flow.
42. The post-project flow duration curve shall not deviate above the pre-project flow duration curve by more than 10% over more than 10% of the length of the curve corresponding to the range of flows to control.

The project is in the City of Belmont. Requires City's Standards Conditions.

Operation & Maintenance (O&M) Conditions:

43. Property Owner shall enter into a Maintenance Agreement with the municipality to ensure long-term maintenance and servicing by the Property Owner of stormwater site design and treatment control *[and/or HM]* measures according the approved Maintenance Plan(s). The Maintenance Agreement shall be recorded for the property and/or made part of the CC&Rs.

- B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.**

Public Works Permits

44. The property owner/applicant shall apply for and obtain temporary encroachment permits from the Department of Public Works for work in the City public right-of-way, easements or property in which the City holds an interest, including driveway, sidewalk, sewer connections, sewer clean-outs, curb drains, storm drain connections, placement of a debris box.
45. The property owner/applicant shall apply for and obtain a permanent encroachment agreement from the Department of Public Works, with approval by the City Council, for a structure, retaining wall, awning, or other features constructed in the public right-of-way, easement or on property in which the City holds an interest.
46. Property owner/applicant shall apply for and obtain a grading permit from the Department of Public Works. The grading permit fee is based on the total amount of earth moved including cut and fill.

Other Agency Permits

47. All or a portion of the proposed improvements are located within a FEMA special flood hazard area. The applicant shall provide certification to the Public Works Department that the proposed Construction meets all the FEMA requirements for construction within a flood zone.
48. Construction activity resulting in a land disturbance of one acre or more, or less than one acre but part of a larger development shall obtain the Construction Activities Storm Water General Permit (General Permit) from the State Water Quality Control Board (<http://www.scrb.ca.gov/stormwtr/construction.html> or (916) 341-5537). The State requires a completed Notice of Intent to comply (NOI) package and a Storm Water Pollution Prevention Plan (SWPPP) prepared in accordance with Section A of the General Permit prior to the commencement of soil disturbing activities. The State will issue a Waste Discharge Identification (WDID) number within 10 business days after it receives a complete NOI package (original signed NOI, vicinity map, and check). Applicant shall also submit copies of the NOI and SWPPP to the City for review and approval. Throughout the project life, the SWPPP shall be revised as necessary to accommodate site changes during to construction.
49. Verify location of utility meters, valves, back flow preventers, and hydrants with appropriate utility company. Show relationship of each to site improvements, such as retaining walls.

Public Improvements

Grading and Drainage

50. The owner/applicant shall submit a grading plan prepared by a California-registered Civil Engineer in accordance with City Grading Ordinance, Chapter 9, Section 3 of the City Code, with a grading permit application, for approval by the Department of Public Works and Building Division prior to any grading or clearing being performed on-site.
 - a) The applicant should note that if the proposed grading meets one or more of the criteria outlined in Section 9-23 of the City Code, a Planning Commission review will be required. Caution: If the total grading quantity changes after Planning Commission approval, a new grading approval may be required. The applicant may choose to complete the grading plan and calculations early in the planning process to limit delays in scheduling this review. (See Section 9-28 of City Code for review process). The plan shall incorporate the following restrictions:
 - b) All soils stockpiled on the site during construction shall be covered or otherwise protected from wind and water erosion.
 - c) During construction, erosion and sedimentation control plans shall be implemented in order to retain sediments on-site.
 - d) Site grading and finished construction shall be designed and executed in such a manner as to avoid diverting runoff onto other properties.
 - e) Restrictions and recommendation of the Geologic and Soils report as approved by the City's Geologist.

51. The owner/applicant shall submit a dust control plan for approval by the Department of Public Works. To reduce dust levels, exposed earth surfaces shall be watered as necessary. The application of water shall be monitored to prevent runoff into the storm drain system. Spillage resulting from hauling operations along or across any public or private property shall be removed immediately. Dust nuisances originating from the contractor's operations, either inside or outside of the right-of-way shall be controlled. The measures shall also include:
- a) Water all active construction sites at least twice daily.
 - b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
 - c) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
 - d) Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
 - e) Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
 - f) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
 - g) Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiled materials.
 - h) Install sandbags or other erosion-control measures to prevent silt runoff to public roadways.
 - i) Replant vegetation in disturbed areas as quickly as possible.
 - j) Watering should be used to control dust generation during the break-up of pavement.
 - k) Cover all trucks hauling demolition debris from the site.
 - l) Use dust-proof chutes to load debris into trucks whenever feasible.
 - m) Water or cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.
 - n) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be in proper running order prior to operation.
 - o) Diesel powered equipment shall not be left inactive and idling for more than five minutes, and shall comply with applicable BAAQMD rules.
 - p) Use alternative fueled construction equipment, if possible.
 - q) All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - r) Post a visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 24 hours. The Air District phone number shall also be visible to ensure compliance with applicable regulations.
52. The proposed development may add or replace the impervious surface area of the property. The applicant shall provide calculations showing the total impervious area of the completed project with the building permit application. Calculations shall be submitted to the Department of Public Works for review and approval.
53. Storm drainage calculations shall be required for all storm drains and overland flows. Drainage shed maps shall be submitted showing all upstream acreage and run-off coefficients for each tributary area. Overland flow paths and site release points shall be clearly identified. Calculations shall be submitted to the Department of Public Works for review and approval.
54. A written report prepared by a Geotechnical Engineer shall be submitted in accordance with Section 9-36 of the City Code.

The project is in the City limit. Requires approval of proposed comprehensive drainage plans.

Utilities

55. Applicant shall install the sanitary sewer connection in accordance with Department of Public Works approved standards and pay the applicable sewer connection fee.
56. Sanitary sewer to include a back flow prevention device.
57. If PG&E is requiring the developer to put in the gas and/or electrical connection, then the developer must submit plans for the encroachment to the Department to Public Works.

Subdivisions

58. The subdivision agreement shall provide for payment of all grading permit fees and inspection charges including the reviews by the City's Consultant Geologist in accordance with the City's Grading Ordinance.
59. The subdivision agreement shall provide for payment of all City inspection and plan check charges associated with the installation of public and private improvements including, but not limited to, streets, sanitary sewers, storm drains and street lights. A cash deposit shall be made in accordance with the fee schedule, against which the City will assess its costs. A refund or additional charge will be made at the conclusion of construction.
60. All utilities to each lot including, but not limited to, electric power, telephone, cable television, and street lights, shall be provided underground.
61. The owner/applicant shall provide a street light plan for subdivision streets that includes an evaluation of the need for the construction of additional street lighting on all adjacent streets.
62. Storm drainage, sanitary sewer, and emergency vehicle access easements shall be provided to the City as necessary.
63. The developer shall provide documentation from Mid-Peninsula Water District, PG&E, Pacific Bell, and AT&T Broadband cable TV that these utilities will provide service to the subdivision.
64. The developer shall post maintenance bonds for all improvements to be dedicated to the City for a period of one year after the date of acceptance by the City.
65. The owner/applicant shall provide field survey data to permit retracing all survey monuments set to establish the street right-of-way both public and private. A copy of the final subdivision map including property liens, final contours, street improvements, parking, sewer and storm drains shall be provided using AutoCad drawing files.
66. The owner/applicant shall provide a traffic control plan for all construction staging and storage areas
67. The owner/applicant shall conduct a signalization study to analyze improvements to existing traffic signal(s) or addition of new traffic signals needed to mitigate additional traffic from the proposed development.
68. The owner/applicant shall conduct a traffic study to analyze improvements to the existing traffic conditions need to mitigate additional traffic from the proposed development.
69. The owner/applicant shall analyze the existing storm drain system from the property boundary to the outfall. On-site and off-site drainage facilities such as catch basins and storm drain pipes shall be designed to collect runoff from a storm of 10-year return frequency. Should any deficiency in this system be found that would be affected by increased runoff from the project site, the owner/applicant shall improve the downstream system or contribute a proportionate share of the cost for improvements as determined by the Public Works Department.
70. The owner/applicant shall provide an evaluation of the need for the construction of additional street lighting on all streets fronting the property.
71. Applicant shall provide receptacles for recycling. Containers shall segregate glass, plastic and aluminum containers and paper. Property manager shall ensure these materials are recycled, such as by adding them to the regular recycle stream for on-site pick up by Recology or by returning them for redemption.

72. The owner/applicant shall provide a plan showing all the site improvements and utility trench locations. The plan shall indicate the location of all the protected trees and protection fences on site. No utility trench shall encroach within the protection fence areas.
73. Location of monument signs must be determined by a licensed engineer who will certify that line of sight will not be blocked and there is sufficient sight distance at the intersection. Engineer shall provide analysis to the City for review.

NPDES Stormwater Controls (General)

74. The applicant shall submit an erosion and sedimentation control plan describing Best Management Practices (BMPs) to be used to prevent soil, dirt, and debris from entering the storm drain system. The plan shall include the following items:
 - a) A site plan showing the property lines, existing and proposed topography, and slopes; areas to be disturbed, locations of cut/fill and soil storage/disposal area; areas with existing vegetation to be protected; existing and proposed drainage patterns and structures; watercourses or sensitive areas on-site or immediately downstream of project; and designated construction access routes, staging areas and washout areas.
 - b) Erosion and sediment controls to be used during construction, selected as appropriate from the California Regional Water Quality Control Board, San Francisco Bay Region Erosion and P.O. Box 791, Oakland, CA 94604-0791.
 - c) Methods and procedures to stabilize denuded areas and install and maintain temporary erosion and sediment control continuously until permanent erosion controls have been established.
 - d) Provision for preventing erosion and trapping sediment on-site, such as sediment basins or traps, earthen dikes or berms, fiber rolls, silt fence, check dams, storm drain inlet protection, soil blankets or mats, covers for soil stock piles and/or other measures.
 - e) Provisions for installing vegetative cover in disturbed areas, including areas to be seeded, planted, and/or mulched, and types of vegetation proposed.
 - f) Provision for diverting on-site runoff around exposed areas and diverting off-site runoff around the project site (e.g., swales and dikes).
 - g) Notes, specifications, and/or attachments describing the construction, operation and maintenance of erosion and sediment control measures, including inspection frequency; methods and schedule for grading, excavation, filling clearing of vegetation and storage and disposal of excavated or cleared material; types of vegetative cover and mulch, including methods and schedules for planting and fertilization; and provisions for temporary and permanent irrigation.
75. All plans shall conform to the requirements of the City NPDES stormwater discharge permit and the San Mateo Stormwater Pollution Prevention Plan (STOPPP). The project plans shall include permanent storm water quality protection measures. The project plans shall identify Best Management Practices (BMPs) appropriate to the uses to be conducted on-site to effectively prohibit the discharge of pollutants with storm water run-off. A Maintenance and Operation Agreement shall be prepared by applicant incorporating the conditions of this section.
76. The developer shall provide to the first residents/occupants/tenants practical information materials (as furnished by the City) on good housekeeping for hazardous products, proper use and disposal of hazardous products, and prohibited discharge practices.
77. All landscaping shall be maintained and shall be designed with efficient irrigation systems to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides and pesticides.
78. The property owner/association shall implement a trash management and litter control program including emptying trash receptacles in common areas, noting trash disposal violations by homeowners or business, and notifying violators.
79. Streets and parking lots must be swept immediately prior to and once during the storm season. Records of street cleaning shall be reported to the Department of Public Works on an annual basis on or before June 30 of each year.

80. Outdoor storage areas for oils, fuels, solvents, coolant, and other chemicals shall be designed to provide secondary containment such as berms and roof covers. Process equipment sited outdoors shall be placed on an impermeable surface and covered. Property owners/associations shall implement a regular program of sweeping and litter control at these sites.
81. Loading docks shall be covered, surrounded by berms or curbs or otherwise constructed to prevent drainage onto or from the area. Water used for washing and accumulated waste shall be diverted to the sanitary sewer.
82. No wastewater (including equipment cleaning wash water, vehicle wash water, cooling water, air conditioner condensate, and floor cleaning washwater) shall be discharged to the storm drain system, the street or gutter.

MRP Regulated Project:

83. Applicant shall prepare a Stormwater Management Plan (SWMP) that includes, at a minimum, exhibit(s) showing drainage areas and location of Low Impact Development (LID) treatment measures; project watershed; total project site area and total area of land disturbed; total new and/or replaced impervious area; treatment measures and hydraulic sizing calculations; a listing of source control and site design measures to be implemented at the site; hydromodification management measures and calculations, if applicable; NRCS soil type; saturated hydraulic conductivity rate(s) at relevant locations or hydrologic soil type (A, B, C or D) and source of information; elevation of high seasonal groundwater table; a brief summary of how the project is complying with Provision C.3 of the MRP; and detailed Maintenance Plans for each site design, source control and treatment measure requiring maintenance.
84. LID treatment measures to be shown on final improvement or grading plans shall not differ materially from the LID treatment measures presented on the project's Tentative Map

Source Control Conditions [Staff must require all applicable source controls for C.3 Regulated Projects]:

85. Project shall incorporate landscaping that minimizes irrigation and runoff, promotes surface infiltration, minimizes the use of pesticides and fertilizers, and incorporates other appropriate sustainable landscaping practices such as Bay-Friendly Landscaping.
86. Roof drains shall drain away from the building and be directed to landscaping or a stormwater treatment measure.

Site Design Conditions [At least one site design measure must be implemented for C.3 Regulated Projects]:

87. Self-treating areas must be designed to store and infiltrate the rainfall that lands on the self-treating area. Refer to Section 4.2 of the C.3 Technical Guidance.
88. Self-retaining areas must be designed to store and infiltrate the rainfall run-off volume described in the MRP Provision C.3.d (80% capture volume), for rainfall that lands on the self-retaining area and the impervious surface that drains to the self-retaining area. Refer to Section 4.3 of the C.3 Technical Guidance.
89. Plant or preserve interceptor trees (Section 4.1, C.3 Technical Guidance).

Treatment Control Conditions

[Refer to the project's completed C.3 and C.6 Development Review Checklist or Stormwater Requirements Checklist to identify the applicable type of treatment control. Conditions of Approval are presented for the following types of treatment controls: Infiltration Measures or Devices, Rainwater Harvesting, Biotreatment Measures, and Special Projects Proposing Non-LID Treatment Measures.]

90. No treatment measures (other than properly sealed and screened cisterns or rain barrels) shall have standing water more than 5 days, for vector control.

Infiltration Measures (Bioinfiltration and Infiltration Basins) or

Infiltration Devices (Dry Wells and Infiltration Trenches) *[Apply the following Conditions of Approval if applicant demonstrated during the Planning Phase that it is feasible to infiltrate 80% of the average*

91. All infiltration devices shall be located and designed to ensure no damage will occur to surrounding improvements from underground water.
92. Soil media within the bioinfiltration measure shall consist of 18 inches of biotreatment soil consistent with the Attachment L of the MRP.
93. Other parameters of final design shall be consistent with the design guidelines presented in the latest version of the C.3 Technical Guidance.

Biotreatment Measures:

[Apply the following Conditions of Approval ONLY when the applicant has demonstrated that it is infeasible to infiltrate or harvest and use 80% of the average annual runoff volume.]

94. Plant species used within the biotreatment measure area shall be consistent with Appendix A of the C.3 Technical Guidance.
95. Biotreatment soil mix for biotreatment measures shall have a minimum percolation rate of 5 inches per hour and a maximum percolation rate of 10 inches per hour, and shall be in conformance with Attachment L of the MRP, which is included in Appendix K of the C.3 Technical Guidance.
96. Design of biotreatment measures shall be consistent with technical guidance for the applicable type of biotreatment measure provided in Chapter 6 of the C.3 Technical Guidance.

Special Projects Proposing High Flow-Rate Tree Well Filters and/or High Flow-Rate Media Filters

[High flow-rate tree well filters and high flow-rate media filters may be used ONLY for Special Projects that meet the criteria specified in Provision C.3.e.ii and ONLY for the percentage of stormwater runoff for which the project is allowed to use non-LID treatment as shown on the project's completed Special Projects Worksheet]:

97. High flow-rate tree well filter products and/or high flow-rate media filter products shall be certified by the Technical Assessment Protocol Ecology (TAPE) of the Washington State Department of Ecology as meeting the TAPE protocol General Use Level Designation for Basic Treatment. For TAPE program information and use level designation statements see: <http://www.ecy.wa.gov/programs/wq/stormwater/newtech/basic.html>
98. Hydraulic sizing of high flow-rate tree well filters and/or high flow-rate media filters shall meet the hydraulic sizing criteria identified in Provision C.3.d and shall also be sized in accordance with the flow rate that was certified by the Washington State Department of Ecology Technical Assessment Protocol Ecology (TAPE) protocol General Use Level Designation for Basic Treatment.
99. Applicant shall clearly demonstrate, using Manufacturer's cut sheet or equivalent informational material and calculations, that non-LID treatment measures used are adequate for the area requiring treatment.

Hydromodification Management (HM) Conditions:

[Apply the following Conditions of Approval only to projects that create or replace 1 acre or more of impervious area, increase the impervious surface area over pre-project conditions, and are located within the HM Control Area.

100. Flow control structures may be designed to continuously discharge stormwater at the very low flow rate Q_{cp} , where $Q_{cp} \leq 10\%$ of the pre-project 2-year flow.
101. Hydromodification (HM) Controls shall be designed using the Bay Area Hydrology Model (BAHM), unless the applicant uses an alternative continuous simulation hydrologic computer model as described in Attachment E of the MRP. Site-specific data shall be used with BAHM (www.Bayareahydrologymodel.org) or alternate continuous simulation hydrologic computer model.

Operation & Maintenance (O&M) Conditions:

102. A Maintenance Plan for every stormwater treatment control *[and/or HM]* measure or applicable site design measure, inclusive of maintenance and inspection checklists and Maintenance Inspection Report Forms, shall be submitted to the City for review and approval prior to issuance of a grading permit. A copy of the final, approved Maintenance Plan(s) shall be made a part of the Maintenance Agreement [and the Conditions, Covenants and Restrictions (CC&Rs)] recorded for the property. A copy of the final, approved Maintenance Plan(s) shall also be on file at the municipality's Public Services Department.

Site Design Conditions *[Projects subject to Provision C.3.i must implement N-16; Municipal staff shall consider requiring applicable site design measures for non-regulated projects]:*

- C. The following conditions shall be met prior to occupancy except as otherwise specified in the conditions.**

Public Works Permits

103. After the City permits are approved but before beginning construction, the owner/applicant shall hold a preconstruction conference with Building and Public Works Department staff and other interested parties. The developer shall arrange for the attendance of the construction manager, contractor, and all subcontractors who are responsible for grading and erosion and sedimentation protection controls.
104. Failure to comply with any permit condition may result in a "Stop Work" order or other penalty.
105. All construction and related activities which require a City permit shall be allowed only during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday and 10:00 a.m. to 5:00 p.m., Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Year's Day, President's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline powered construction equipment shall be equipped with an operating muffler and baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.

Other Agency Permits

106. A portion of the proposed work is within the State of California right-of-way. The applicant should contact the California Department of Transportation (Caltrans) to obtain an encroachment permit for this portion of the work.
107. The project includes construction or installation of stationary equipment that may cause air pollution. The applicant should contact the Bay Area Air Quality Management District (415-771-6000) to determine if an air quality permit is required.

Public Improvements

108. "As-built" drawings for any public improvement including streets, sewers, etc. shall be submitted to the City in AutoCAD on CD ROM.

Grading and Drainage

109. Grading shall be performed in accordance with the City Grading Ordinance, Chapter 9 of the City Code. Soil or other construction materials shall not be stockpiled in the public right-of-way unless an encroachment permit is obtained from the Department of Public Works. Grading shall neither be initiated nor continued between November 15 and April 15. Grading shall be done between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday unless otherwise specifically authorized by the Director of Public Works. The Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality.
110. The owner/applicant shall ensure that applicable Best Management Practices (BMPs) from the San Mateo Stormwater Pollution Prevention Program (STOPPP) are followed to prevent discharge of soil or any construction material into the gutter, stormdrain system or creek.

NPDES Stormwater Controls (General)

111. The owner/applicant shall ensure that all construction personnel follow standard BMPs for stormwater quality protection during construction of project. These includes, but are not limited to, the following:
- a) Store, handle and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - b) Control and prevent the discharge of all potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, washwater or sediment, and non-stormwater discharges to storm drains and watercourses.
 - c) Use sediment controls, filtration, or settling to remove sediment from dewatering effluent.
 - d) Do not clean, fuel, or maintain vehicles on-site, except in a designated area in which runoff is contained and treated.
 - e) Delineate clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses with field markers or fencing.
 - f) Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching or other measures as appropriate.
 - g) Perform clearing and earth moving activities only during dry weather (April 15 through November 14).
 - h) Limit and time applications of pesticides and fertilizers to prevent polluted runoff.
 - i) Limit construction access routes and stabilize designated access points.
 - j) Do not track dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.
112. If construction is not complete by the start of the wet season (November 15 through April 15), prior to November 15 the developer shall implement a winterization program to minimize the potential for erosion and sedimentation. As appropriate to the site and status of construction, disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing physical means; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels, and other chemicals. Plans to include proposed measures to prevent erosion and polluted runoff from all site conditions. As site conditions warrant, the Department of Public Works may direct the developer to implement additional winterization requirements.

MRP Regulated Project:

113. *[For projects discharging directly to CWA section 303(d)-listed waterbodies only]* Applicant shall ensure that post-construction levels of pollutants identified in the Clean Water Act (CWA) section 303(d) list for the receiving water body do not exceed pre-development levels.

Source Control Conditions [Staff must require all applicable source controls for C.3 Regulated Projects]:

114. Fire sprinkler test water shall discharge to onsite vegetated areas, or, alternatively shall be discharged to the sanitary sewer system, subject to the local sanitary sewer agency's authority and standards.
115. Air conditioning condensate shall drain to landscaping, or alternatively may be connected to the sanitary sewer system, subject to the local sanitary sewer agency's authority and standards.

Operation & Maintenance (O&M) Conditions:

116. Property Owner shall be responsible for conducting all servicing and maintenance as described and required by the treatment measure(s) [and HM measure] Maintenance Plan(s). Maintenance of all site design and treatment control [and/or HM] measures shall be the owner's responsibility *[or HOA's responsibility]*.
117. Approved Maintenance Plans shall be kept on-site and made readily available to maintenance crews. Maintenance plans shall be strictly adhered to.
118. By April 1 each year, Maintenance Inspection and Servicing Reports for the stormwater treatment systems *[and HM]* shall be submitted to the municipality for the previous calendar year (January 1 through December 31).
119. Site access shall be granted to representatives of the City, the San Mateo County Mosquito and Vector Control District, and the Water Board, at any time, for the sole purpose of performing operation and maintenance inspections of the installed stormwater treatment systems *[and HM controls]*. A statement to that effect shall be made a part of the Maintenance Agreement and/or CC&Rs recorded for the property.
120. Property Owner shall be required to pay for all municipal inspections of installed stormwater treatment systems as required by the Regional Water Quality Control Board or the municipality.

Installation Conditions:

121. Applicant shall coordinate installation of stormwater treatment measures with the municipality and shall arrange to have a municipal Special Inspector or designated third party inspector present at the time of installation. Applicant shall be responsible for all fees associated with special stormwater inspections during construction.

Additional Conditions:

- 1. Obtain County permits and approval for work within their jurisdiction prior to the City's approval for the subdivision map.**
- 2. Overlay or reconstruct O'Neill Avenue, Elmer Street, Old County Road fronting the subdivision. The thickness of the required pavement section to be designed by the soils engineer and civil engineer.**
- 3. Street improvement requirements are specified in the new General Plan (GP) and Belmont Village Specific Plan (BVSP). The street improvement designs shall meet these requirements.**
- 4. All overhead utilities serving the property and located along the project street frontages shall be undergrounded.**
- 5. A maintenance agreement is required to be executed between the City and the developer prior to recordation of final map. The property shall maintain the following:**
 - Stormwater treatment areas inside and along the frontage of the properties.**
 - Sidewalks, driveways, curb and gutter, street furniture, decorative street lights, landscaping, street trees along the frontage of property up to the edge of pavement.**
- 6. The existing sewer main in O'Neill Avenue shall be inspected by camera and the results provided to staff for review. The main shall be repaired or replaced as determined by staff.**
- 7. Pay traffic impact fees and implement mitigations as identified in the development agreement. The Final Ralston Avenue Corridor Study and Improvements Plan recommends the improvement of the intersection at Ralston Avenue and Elmer Street. Contribution of a fair share toward the cost of the improvement would mitigate the significant impact caused by the project. The applicant to consider their fair share of increased pedestrian usage and AM Trips in addition to vehicular trip generation. The applicant is required to pay their fair share costs \$20,000 based on these three factors and provide the amount that they would need to pay.**
- 8. Obtain permits for groundwater discharges during construction phase.**
- 9. Post-development groundwater shall not be discharged to a City system. In the response from applicant, the retaining walls around the basement will be designed to withstand the hydrostatic pressure without discharging the groundwater to a storm system.**
- 10. Stormwater Treatment should be provided in general conformance with the approved Stormwater Plan. Full trash capture measures conforming to Section C.10 of the Municipal Regional Permit for Stormwater should be provided to treat the site. Treatment shall be provided for the Old County Road frontage improvements.**
- 11. The final design for the storm drains system shall meter the post-construction runoff to not exceed pre-development flow condition. This shall be verified through hydrologic/hydraulic calculations.**
- 12. The final design for the storm drains system shall include calculations confirming adequate freeboard in the system per City standards.**

- 13. Obtain County approval for the storm drain improvements proposed as shown in the drawing prepared by BKF dated April 17, 2019. No storm water from the development shall be allowed to drain to Old County Road or the Harbor Blvd./Old County Road intersection, except for frontage improvements on Old County Road. The Karen Road valley gutter shall be connected to an inlet which directs runoff to the new Elmer Street storm drain. An encroachment permit shall be obtained from the County for all work in the County right-of- way.**
- 14. C3 requirements for storm water treatment will be required for Karen Drive if design is changed that triggers those conditions. (The tentative map shows no surface improvement to Karen Drive.)**
- 15. Annexations between County and City shall be completed prior to approval of subdivision map.**
- 16. Property is located in flood Zone X. All design must comply with the Floodplain Management Regulations under Chapter 7 of the City Ordinance.**
- 17. A 5' public utility easement shall be dedicated along the Old County Road, O'Neill Avenue, and Elmer Street frontages on the final map.**
- 18. The project shall implement the measures listed in the TDM Plan prepared for the project by Nelson Nygaard, dated April 2019.**